

808 W. Spokane Falls Blvd.
Spokane, Washington 99201



City of Spokane

(509) 755-CITY
www.spokanecity.org

Petition For Alcohol Impact Area

December 9, 2009

Whereas:

On December 26, 2002, the City of Spokane passed Ordinance SMC 10.08.270¹ (in accordance with WAC 314.12.215) establishing an Alcohol Impact Area (AIA) in the downtown core and based on findings of fact and the need to mitigate the continuing problems associated with Chronic Public Inebriation and the crimes associated with alcohol sales of fortified beer in the downtown core.

The City of Spokane experiences a disproportionate population of transient homeless who are predominately Chronic Public Inebriates (CPI's) who travel to and through Spokane utilizing accessibility by way of national railroads. The Burlington Northern & Santa Fe RR and the Union Pacific RR main lines run east and west through the downtown AIA. The railroad lines' viaduct and Interstate 90 viaduct run directly through the downtown AIA providing attractive locations amidst local business where CPI's congregate.

Chronic public inebriation and associated crimes have a direct affect on public safety within the AIA, where several churches and Spokane's Lewis & Clark High School are located. The churches and High School abut I-90, where I-90 provides temporary shelter and drinking locations next to these churches and Lewis & Clark High School therefore creating a dangerous and unhealthy environment for the community.



The Downtown Alcohol Impact Area is unique in that it encompasses retail and commercial businesses as well as single and multifamily residential districts. Most of the City's homeless service providers are located within these boundaries which further complicates the issues with the transient and homeless population. This AIA can also claim to be the Gateway to Spokane as the main entrance to the city's core where

¹ Appendix A

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Interstate 90 intersects with US highway 395. US 395 runs north and south dividing the City into its east/west quadrants. The Burlington Northern & Sante Fe Railroad and the Union Pacific Railroad lines run through the middle of this AIA which also include the Intermodal Amtrak train and Greyhound bus station. Two of the City's four hospitals are located within two blocks of the south AIA boundary. One High School and four churches are located right along and beside the I90 and railroad right of ways. These right of way corridors provide the avenue of ingress for the transient and chronic inebriate population.

The sale of fortified beer products containing more than 5.5% alcohol² is the alcohol of choice by the CPI population within this AIA. The sale of these products contributes to chronic public inebriation and alcoholism amongst this population. Furthermore, the CPI's contribute to a continual increase in crime statistics within the AIA boundary.



Only 7 of the 32 Licensees within this AIA have complied with voluntary efforts to restrict the sale of fortified beer, 5.5%-12% alcohol by volume. Therefore crime statistics, calls for police service to alcohol related problems, Fire Department medic calls for alcohol related persons and Detox calls for transports as well as ambulance transports for CPI's to Emergency Rooms has steadily increased each year since 2003.

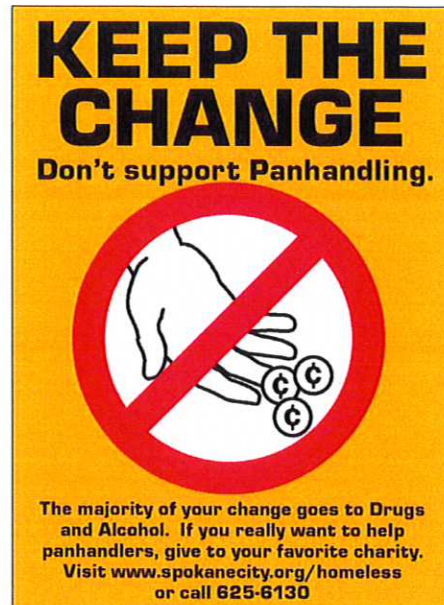
The City of Spokane and the Spokane Police Department has worked with community stakeholders such as The House of Charity-Catholic Charities of Spokane, The Gospel Mission, Spokane Mental Health Department, Spokane Detox Center, local hospitals, the Downtown Spokane Partnership (DSP), the Riverside Neighborhood Council and Browne's Addition Neighborhood Council since December of 2002 in the establishment of this Downtown AIA. In 2003 we met with the Licensees and presented the problems associated with chronic public inebriation and asked for Good Neighbor Agreements. The GNA's attempted to restrict the sale of single containers of fortified beer. Most of the Licensees complied initially and we were seeing results in reduced calls for service and less neighborhood problems for the first six months. After the initial six month period, CPI problems began to increase and we later discovered that not only had the CPI's found a way around the single can restriction, most of the Licensees had begun to ignore the GNA and were again selling singles.



² Appendix B

In 2005, the Spokane Police Department began fielding additional police officers on foot patrols and bicycle patrols in an effort to help curb the continuing rise in alcohol related incidents occurring in the Downtown AIA. Between 2004 and 2007 the Downtown Spokane Partnership conducted advertising campaigns with handout flyers and News Media public service announcements to "Keep the change" and "Change for the better" with efforts to curb the panhandling by CPI's.

In spite of increased police patrols and community awareness programs, the crime statistics, calls for police service, Medic responses by the Fire Department and Detox transports continued to increase each year.

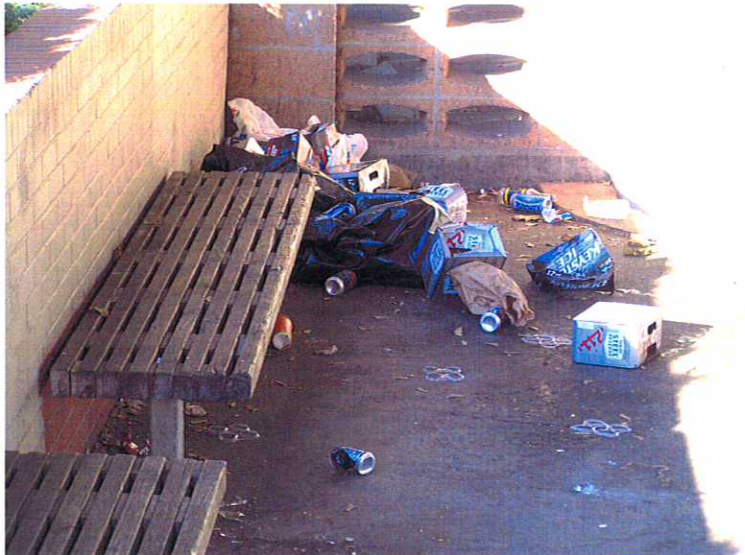


In 2007 we attempted to renew the GNA's (Good Neighbor Agreements) with the licensees. Only 12 Licensees agreed to participate in this voluntary program. Since that time the number of Licensees within the Downtown AIA has increased to 32 current businesses. Eleven of the 32 Licensees are specialty shops and do not sell fortified beer or are wine sales only. Of the remaining 21 Licensees who sell fortified beer, only seven of these Licensees are currently complying with their Good Neighbor Agreements to restrict the sale of single containers of fortified beer.

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The Licensees cite a loss of revenue (profits) from sales to the CPI's if they are restricted from the sale of single containers of the less expensive higher alcohol content (Ice) beers that are greater than 5.5% alcohol. They have shown a lack of concern for the health, safety, and well being of their neighborhood community where they do business. A common argument against participating in this voluntary effort was stated "if we don't sell it to them, they will just go down the street and buy it" and "most of our sales are from the cheaper beer."



Since January of 2003 crimes³ associated with chronic inebriation and the sale of cheap fortified beer have continued to increase each year which has created a hazardous and unsafe environment for the citizens of Spokane, as well as a drain on community resources in Police, Fire, and Detox services.

Statistics show increasing trends since January, 2003. Thefts, property crimes, panhandling and soliciting have increased steadily since 2003 as a way for this population to financially support their alcohol addiction. Licensees quickly adapted to the restriction on single can sales, with the help of their suppliers, by selling 4-packs. The chronic inebriates then began pooling their finances after panhandling on street corners at busy intersections in the downtown AIA. By pooling their finances, the CPI's then bought 4-packs, 6-packs, half racks or cases of the fortified beer.



Licensees who refuse to participate, camouflage single sales of fortified beer to the chronic inebriates by providing the CPI with a large soda pop container, ice and a straw.



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³ Appendix C

Summary

The City of Spokane's efforts to curb Chronic Public Inebriation through voluntary practices in the Downtown Alcohol Impact area, as enacted on December 26, 2002, has failed. Chronic Public Inebriation continues to contribute to the increase in public safety concerns and resultant increase in crime trends within the designated AIA. Voluntary compliance from the licensees within this AIA has proved insignificant in controlling the sale of fortified beer to CPI's who contribute to the degradation of the downtown core, also known as the Downtown AIA.



13% of all police calls for service (CFS) (January 1st through October 31st, 2009) occurred within the Downtown Alcohol Impact Area. Local hospitals reported approximately \$2,211,242 in costs (2008) for emergency room treatment of alcohol related cases, \$1,070,702 of those costs were in lost revenue for indigent non paying patients, CPI's.

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The City of Spokane therefore requests the Washington State Liquor Control Board to recognize and adopt the Downtown Alcohol Impact Area with a mandated restriction on the sale of fortified beer as listed in Appendix B, list of products.

Sincerely,

Mary B. Verner

Mary B. Verner
Mayor

Anne Kirkpatrick

Anne Kirkpatrick
Chief of Police

AIA Boundaries

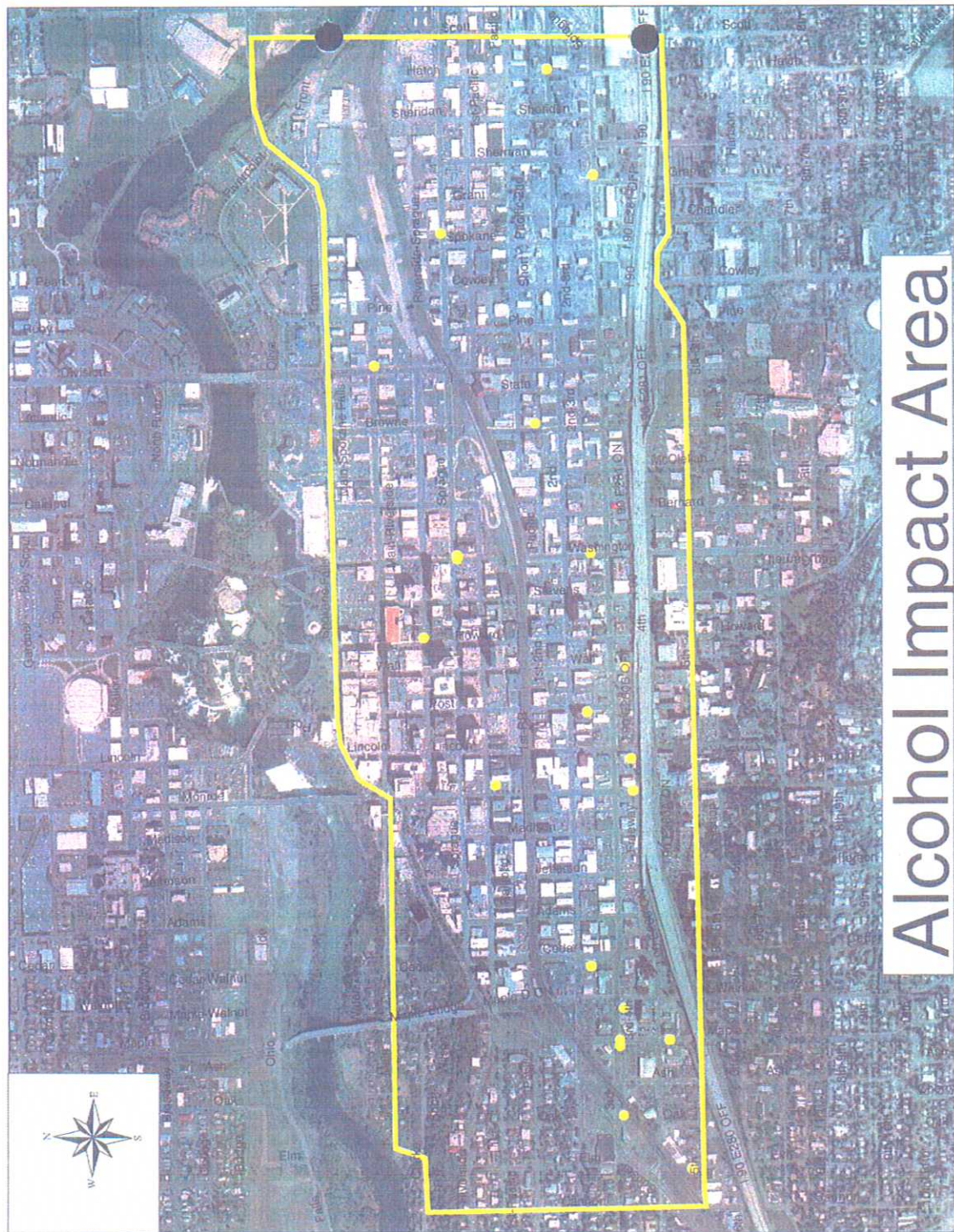
SMC Section 10.08.270 Alcohol Impact Areas

The geographical area in the City of Spokane described below is declared to be an alcohol impact area as defined by WAC 314.12.215:

Beginning at the southwest corner of Lot 10, Block 13 of Dennis and Bradley's Subdivision, said point also being the northeast corner of vacated Dakota Street and Trent Avenue; thence westerly along the north right-of-way of Trent Avenue to the east section line of Section 18, Township 25 North, Range 43 East, W.M. (Division Street centerline), City of Spokane, Spokane County, Washington; thence westerly along the north right-of-way line of Spokane Falls Boulevard to the north right-of-way line of Main Avenue; thence westerly along said north right-of-way line of Spokane Falls Boulevard to said north right-of-way line of Main Avenue; thence westerly along said north right-of-way line of Main Avenue to the northeast corner of Parcel No. 25134.3101, said point also being the northwest corner of Main Avenue and Elm Street; thence southwesterly to the southwest corner of Riverside Avenue and Cannon Street; thence southerly, along the west right-of-way line of Cannon Street to the southwest corner of Cannon Street and Fifth Avenue; thence easterly along the south right-of-way line of Fifth Avenue to the southeast corner of Fifth Avenue and Scott Street; thence northerly along the east right-of-way line of Scott Street to the intersection of the east right-of-way line of Scott Street and the south right-of-way line of Sprague Avenue; thence northerly to the true point of beginning.

The boundaries shall include properties located on both sides of the public right-of-way that constitute the boundaries of the alcohol impact area as further depicted on the attached map.

APPENDIX A



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APPENDIX B

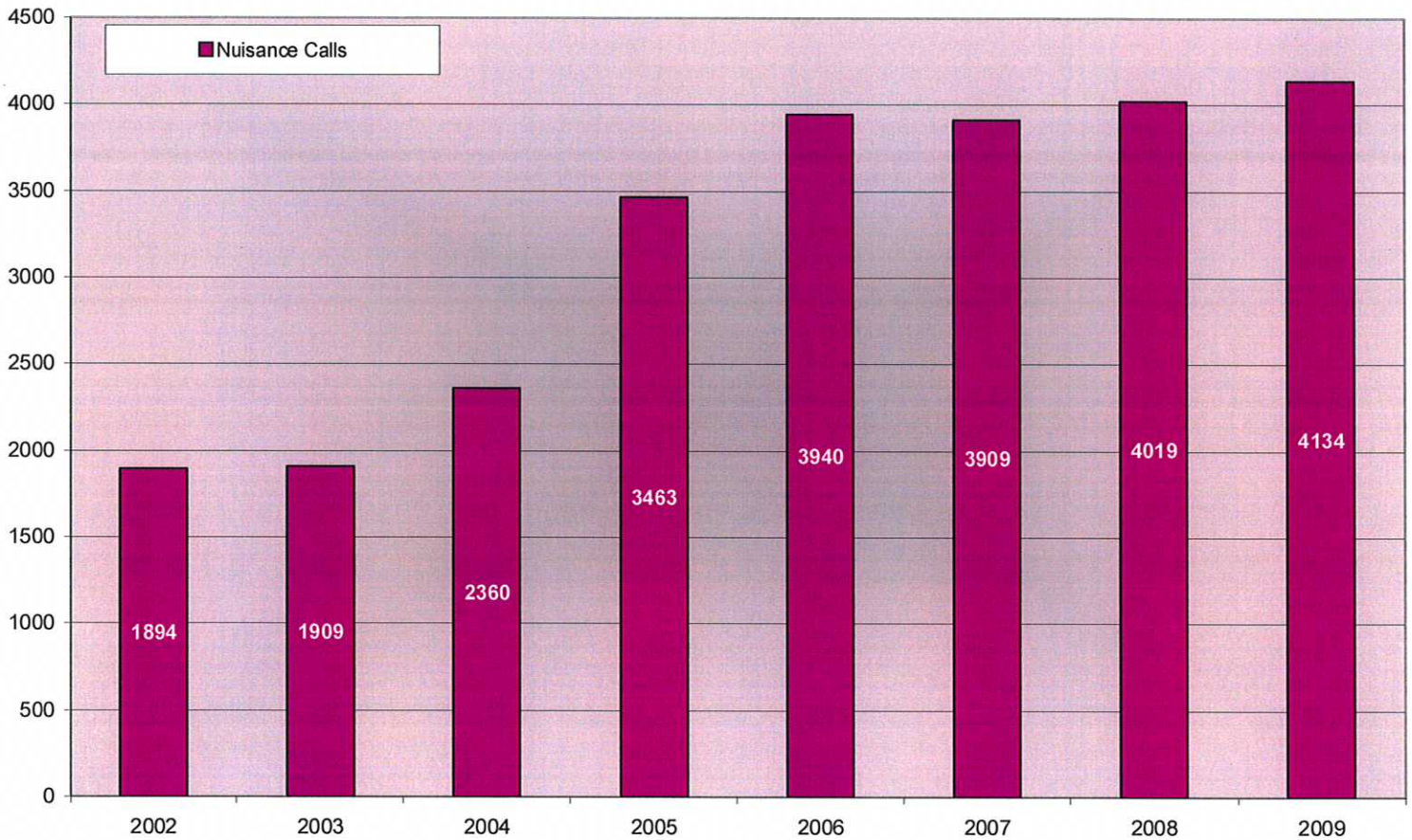
Product List of Fortified Malt Products

Bull Ice	Milwaukee Best Ice
Busch Ice	Milwaukee Best Premium Ice
Colt 45 Ice	Old Milwaukee Ice
Colt 45 Malt Liquor	Old English 800 (all products)
Hamm's Ice Brewed Ale	Olympia Ice
Hamm's Ice Brewed Beer	Pabst Ice
Hurricane (all products)	Rainier Ice
Ice House	Red Bull Malt Liquor
Keystone Ice	Schlitz High Gravity
Cobra	Special 800 Reserve (all flavors)
Lucky Ice Ale Premium	St. Ide's Liquor and Special Brews (all Flavors)
Lucky Ice Beer	Steel Reserve (all products)
Magnum Malt Liquor	Joose (all products)
Mickey's (all products)	Four (all products)
Miller High Life Ice	Hard Wired
Tilt	Sparks
High Gravity (all products)	

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APPENDIX C

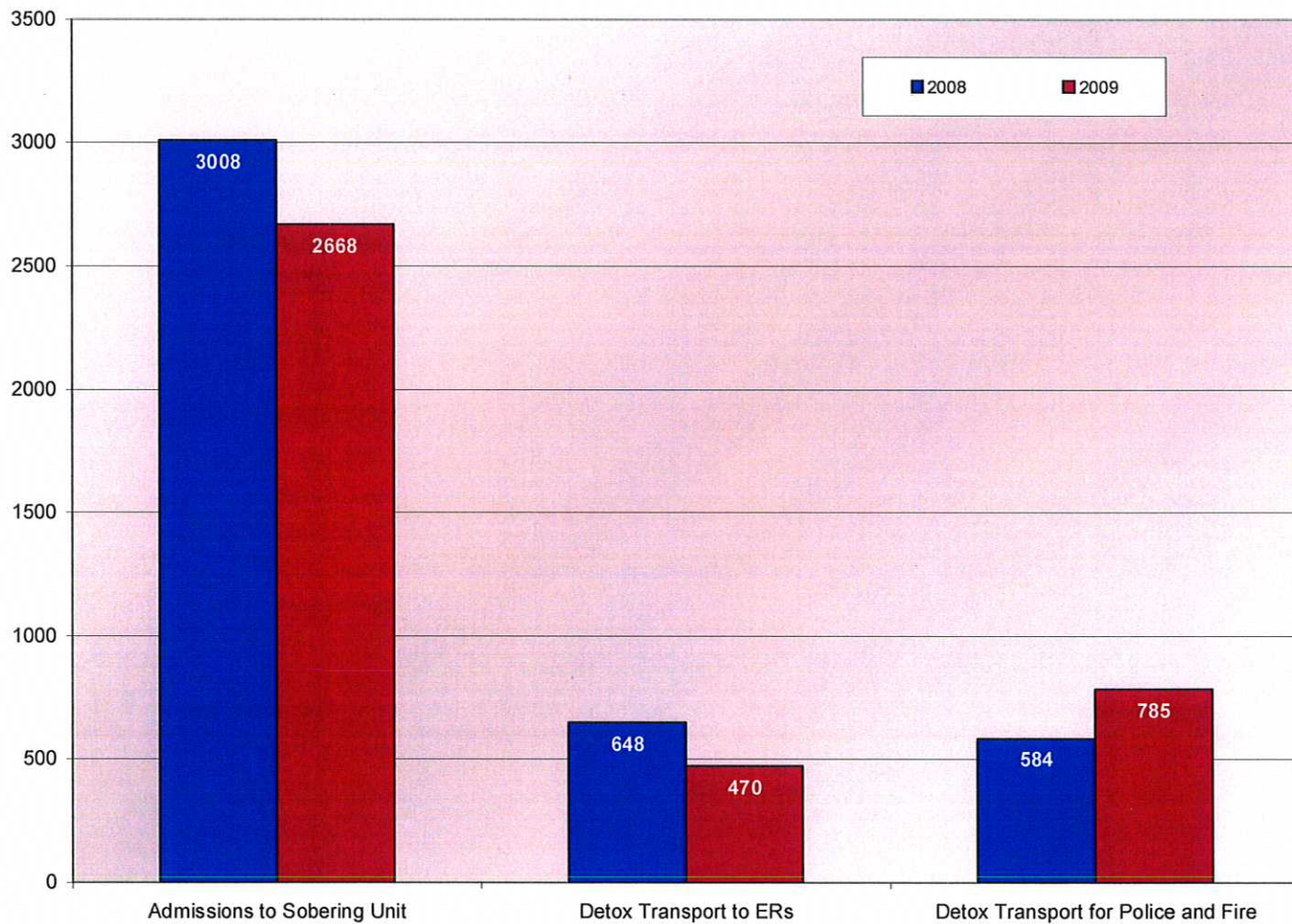
**Nuisance Calls in Alcohol Impact Area
May 1st - Oct 31st ONLY**



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APPENDIX C

Detox Data



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